

How do I get a divorce?

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Apply for a divorce

Online is the cheapest and quickest way to apply for a divorce if both sides agree that divorce is the best option. This is usually referred to a 'no-fault divorce' which was implemented in April 2022 in England and Wales.

The process will take a minimum of 26 weeks and involves 6 key stages

1. Complete a divorce application either together or individually by filling out form D8 (link below).
2. Submit the application either online or by post, the fee is £ 593.00.
3. Your application will be sent to the other party by the court and they will need to respond and agree to this.
4. Once the other party has completed the above step and after 20 weeks has passed you can apply for what is called a 'Conditional Order'. A Conditional Order in divorce confirms you are eligible for divorce and that all forms have been correctly completed.
5. 6 weeks after receiving the conditional order you can apply for a Final Order by completing form D36 (link below) and lodging this with the courts.
6. Once this is approved you will receive your Final Order, this legal document formally dissolves the marriage and means you are now divorced.

Form D8 - <https://www.gov.uk/government/publications/form-d8-application-for-a-divorce-dissolution-or-to-apply-for-a-judicial-separation-order#:~:text=Use%20this%20form%20to%20apply,your%20marriage%20or%20civil%20partnership.>

Form D36 - <https://www.gov.uk/government/publications/form-d36-apply-to-make-a-conditional-order-final>

Can someone else do this for me?

Yes, you can instruct a solicitor to apply for the divorce on your behalf and they will undertake all of the above steps with you.

Shared finances

The process of applying for a divorce does not legally divide any shared assets. In order to end the financial relationship between you and the other party you will need to reach a financial settlement and have a Consent Order (legal document) created. This is usually submitted to the courts when you apply for your Final Order in step 5 above. Please see the document on our website 'What is a Consent Order and do I need one?' for more information.

Where does Mediation come in to this?

Mediation helps those who are struggling to agree on issues like division of finance and property or child arrangements. During Mediation people will often also discuss the divorce process and make decisions such as who is going to complete the application and when. It is helpful to have a neutral environment through which to update each other on the progress of a divorce application.